



Docket No.: 1567.1026

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ho-Jin KWEON, et al..

Group Art Unit: 1746

Serial No. 10/072,923

Examiner: Monique M Wills

Filed: February 12, 2002

Confirmation No: 3755

For: POSITIVE ELECTRODE FOR RECHARGEABLE LITHIUM BATTERIES AND METHOD OF THE SAME

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance in the Notice of Allowance mailed August 27, 2004, in which the Examiner indicated that some of the claims were allowed based on certain features that do not appear to accurately reflect the claims, as presented. As such, it is respectfully submitted that the claims are not disclosed or suggested by the prior art for the features recited in the claims in addition to or instead of the features set forth in the Office Action.

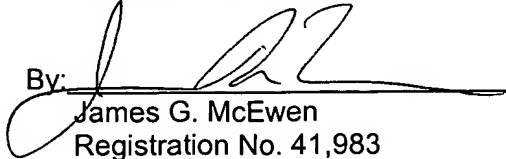
As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is submitted that the Examiner's Statement does not meet these standards and, instead, raises "possible misinterpretations... and possible estoppel effects" (MPEP 1302.14) and, accordingly, should be disregarded.

It further is submitted that the claims noted above are not constrained by such limitations and that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Nov. 29, 2004
1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500

By: 
James G. McEwen
Registration No. 41,983